

**Place:** Raymond High School; Media Center  
**Call to Order:** 7:00 p.m.

**Members Present:** Jonathan Wood, Chairman; Carolyn Matthews, Vice Chairman; Doug Vogel, Secretary (arrived at approximately 8:15 p.m.); Bill Hoitt, Board of Selectmen Ex-officio; Gretchen Gott; Bill Cantwell; Jim Kent; Don Hedman, Alternate.

**Members Absent:** None.

**Staff Present:** Ernest Cartier Creveling, Community Development Director; Robert Price, Planning Technician.

**Pledge of Allegiance**

*Mr. Wood announced Alternate Don Hedman would be seated until Mr. Vogel arrives to the meeting, noting Mr. Vogel informed him ahead of time that he would be arriving late.*

**Public Hearing – Groundwater Conservation District Zoning Amendment**

*Amending Article III, Section 3.3401 (01) and 3.341 to reflect updated stratified drift aquifer mapping, to add to Article IV - Uses and Standards, Section 4.241 (05), a definition of gasoline station, petroleum bulk plant terminal, impervious, loam and sourcewater, to amend Article IV, Section 4.242 and 4.243 to clarify application to Groundwater Conservation District, to update performance standards to reflect current best management practices for sourcewater protection, and adding a conditional use permit from the Planning Board for certain uses within the Groundwater Conservation District, to add Article IV, Section 4.244 to add a spill prevention plan requirement, to amend Article IV, Section 4.247 by revising the list of prohibited uses, and to add to Article IV, Section 4.251 revisions to the town's existing wellhead protection area boundaries. A map entitled "Combined Aquifer, Surficial Geology and Wellhead Protection Areas," dated February 2009, will be presented as part of this amendment. This proposed amendment was discussed at the December 16, 2010 public hearing and the following revisions were made by the Planning Board: revise the definition of "Petroleum Bulk Plant or Terminal" for clarification; Section 4.243, Item 04 – revision to specify that regulated substances stored in containers with a capacity more than 5 gallons must be stored in product-tight containers [...]; Section 4.244, Item 4 – clarification that industry experience should be relied upon as opposed to experience in general; Section 4.247, Item 8 – relating to storage of commercial fertilizers removed in its entirety; Section 4.248, Paragraph B – revised to read "any use that will render impervious more than 15% or 2,500 square feet of any lot, whichever is greater;" Section 4.250, Item 02 – revision to specify facilities keeping regulated substances that are stored in containers with a capacity of 5 gallons or less are exempt from certain Performance Standards; Section 4.253, Item 03 – revision to specify regulated substances in containers with a capacity of greater than 5 gallons; and various revisions were made throughout the text to identify updated reference documents or sections.*

Members Sitting for this Hearing: Jonathan Wood; Carolyn Matthews; Bill Hoitt; Gretchen Gott; Jim Kent; Bill Cantwell; Don Hedman.

Mr. Cartier Creveling noted he received an email from Elmer Pease of PD Associates, which owns Map 22, Lot 9; the site of the Granite Meadows approved site plan. Mr. Cartier Creveling read Mr. Pease's email into the record. A copy of this email is attached to the original set of minutes on file with the Town Clerk.

Ms. Gott stated Code Enforcement Officer Mailhot has always told the Planning Board when looking at zoning, the Board should look at the purpose of a zoning amendment, and see what it will accomplish. Mr. Cartier Creveling explained that anything located within the blue and yellow areas shown on Map 4 will become part of regulatory process. He explained the intent is to have proper management of regulated substances so there is not any contamination within wellhead or aquifer protection areas.

Ms. Matthews added the opportunity for degradation of groundwater increases in tandem with the amount of impervious surface.

PUBLIC COMMENT

Peter Buckingham of 75 Nottingham Road stated the Board has made efforts to retain the rural character of the Town of Raymond. Mr. Buckingham also asked about fees for compliance inspections and manure management.

Frank Bourque of 76 Langford Road stated this amendment is a bulky addition to the Zoning Ordinance that is difficult to understand. He added the more hurdles, especially redundant hurdles that are put in place, the more likely it is that businesses will be chased away during their risk assessment process. He stated he does not feel the amendment makes sense for the Town to implement.

Mr. Bourque added that NFPA regulates every chemical listed within the proposed zoning amendment. He stated if the Board wants to implement this amendment, then it should spend more time working and refining the amendment before putting it forward to be voted upon.

Ms. Matthews asked if Mr. Bourque had any objections to what is currently in place. Mr. Bourque replied he does not object to what is currently in place, only to the proposed zoning amendment.

Mr. Hoitt asked if existing businesses would need to come into compliance with the new rules being proposed. Ms. Gott noted the amendment would impact new developments. Mr. Wood added existing developments that come in for a change of use review would need to comply as well.

Ms. Matthews stated the comment of redundancy has come up in the past. She proposed that Southern NH Planning Commission point out any redundancies and overlaps between this zoning amendment and any State or Federal regulations already in place, so they can be posted on the Town's web site. She added the most critical piece of this amendment is Map 4, showing the Town's most vulnerable areas.

Mr. Hoitt stated the Board received an email from Elmer Pease. He noted Mr. Pease has an approved site plan in the Town, and added Mr. Pease is scared that this amendment will make development difficult.

Mr. Cantwell stated he wishes the Board brought Fire Chief Pratt in to speak about this amendment. He added while he recognizes the Board made some changes to this amendment, he is concerned that the amendment is worded properly.

MOTION: Ms. Gott made a motion, seconded by Ms. Matthews, to forward the Groundwater Conservation District Zoning Amendment to the March 2011 Ballot. The motion carried with a vote of 4-3-0, with Mr. Hoitt, Mr. Cantwell and Mr. Hedman opposed.

**Public Hearing – Review & Possible Adoption of Town of Raymond Open Space Plan**

*The purpose of the public hearing is for the review and possible adoption of the new Town of Raymond Open Space Plan.*

Members Sitting for this Hearing: Jonathan Wood; Carolyn Matthews; Bill Hoitt; Gretchen Gott; Jim Kent; Bill Cantwell; Don Hedman.

Mary Brundage and Amy Kizak of Southern NH Planning Commission outlined the changes that were made to the Open Space Plan since it was last reviewed by the Planning Board.

Ms. Gott requested that the Conservation Commission membership listing be updated to reflect the present day.

Mr. Cantwell asked if there was a way, under the “Does Open Space Pay” section, to leave the old information in the plan alongside the new information. Mr. Kent asked if Mr. Cantwell was trying to make the point that, if there were a significant amount of commercial or industrial development in a town, that this type of development actually costs less than open space. Mr. Cantwell stated that was correct.

Ms. Matthews stated it might make more sense to have a cost of community services study completed for Raymond. Ms. Gott noted this has been discussed, but no action has been taken yet.

PUBLIC COMMENT

There was no public comment.

MOTION: Ms. Matthews made a motion, seconded by Ms. Gott, to adopt and add the Open Space Plan to the 2009 Master Plan. Ms. Gott seconded. The motion carried with a vote of 6-0-1, with Mr. Hoitt abstaining.

**Public Comment (without comment from the Planning Board)**

Frank Bourque of 76 Langford Road stated at the December 16, 2010 Planning Board meeting, the Board voted to forward two zoning amendments to the March 2011 Ballot. He stated he feels it is unfortunate that occurred.

He stated he does not understand the point of the point of the Voluntary Small Stream Buffer Protection amendment. He added that goals do not belong in the Zoning Ordinance, but rather in the Master Plan. He stated the Board has taken the position publicly that they will take this amendment up again in the future and work to make it a mandatory provision rather than voluntary. He asked that the Board please reconsider their vote to place this amendment on the March 2011 Ballot. He stated he is concerned that this amendment is another effort to chip away at property rights. He added he feels the Board needs to reconsider its position on business development.

Peter Buckingham of 75 Nottingham Road stated as a person who sits on the Raymond Business & Economic Development Council, he would like to thank Mr. Cantwell, Mr. Hedman and Mr. Hoitt for voting against the Groundwater Conservation District zoning amendment. He noted that the Exit 5 Special Advisory Committee has worked very hard, but the key issue holding development back is the lack of sewer treatment. He stated the hope is that the Granite Meadows development on Exit 4 will go forward. Amendments such as the Groundwater Conservation District amendment make it more

difficult for developments at Exit 4 to proceed, which makes him wonder if anything will ever get going for the Town. He added he worries for the future of Raymond if Exit 4 does not go forward.

**Other Business**

Members Sitting for this Discussion: Jonathan Wood; Carolyn Matthews; Bill Hoitt; Gretchen Gott; Jim Kent; Bill Cantwell; Don Hedman.

No other business was discussed.

**Non-Public Session under RSA 91-A:3(II)(c)**

MOTION: Ms. Gott made a motion, seconded by Ms. Matthews, that the Planning Board enter Non-Public Session under RSA 91-A:3(II)(c).

In accordance with RSA 91-A:3(I)(b), the Planning Board polled each member individually regarding this motion. The results were as follows:

POLL RESULTS

Question: Should the Planning Board enter Non-Public Session under RSA 91-A:3(II)(c), as motioned and seconded?

Mr. Kent – Yes

Ms. Gott – Yes

Mr. Hoitt – Yes

Mr. Cantwell – Yes

Mr. Hedman – Yes

Ms. Matthews – Yes

Mr. Wood – Yes

As a result of the poll, the motion carried with a unanimous vote of 7-0-0, and the Planning Board went into Non-Public Session.

*Mr. Vogel arrived to the meeting during the Non-Public Session, and replaced Mr. Hedman as a seated member of the Board for the duration of the meeting.*

Upon exiting Non-Public Session, the following motion was made:

MOTION: Mr. Wood made a motion, seconded by Mr. Kent, to seal the minutes of the Non-Public Session entered into by the Planning Board on January 13, 2011 under RSA 91-A:3(II)(c), until the circumstances surrounding the discussion no longer apply, per a vote of the Planning Board. The motion carried with a unanimous vote of 7-0-0.

**Adjournment**

MOTION: Mr. Cantwell made a motion, seconded by Mr. Hoitt, to adjourn. The motion carried with a unanimous vote of 7-0-0. The meeting adjourned at approximately 8:47 p.m.

Respectfully submitted,

**Raymond Planning Board Minutes  
January 13, 2011**

**Approved 02/03/2011**

Robert Price  
Planning Technician